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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/618,783	07/14/2003	Gregory T. Hall	10970-132	7330

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EXAMINER

DAVIS, ROBERT B

ART UNIT PAPER NUMBER

1722

DATE MAILED: 06/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/618,783

Applicant(s)

HALL, GREGORY T.

Examiner

Robert B. Davis

Art Unit

1722

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 8-14, 16 and 18-20 is/are rejected.
- 7) ☒ Claim(s) 5, 7, 15 and 17 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 6, 8-13, 16 and 18-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Yutronkie et al (6,315,539: figures 1-4; column 2, line 31 to column 3, line 12).

Yutronkie et al teach a mold half (10) and an opposite mold half (column 2, line 14-16), a frame which is an inherent aspect of the molding machine to allow clamping under pressure to mold a tire, each of the mold parts having a cavity to form a shape of the plastic article (tire), a mold insert (51) located in the mold half (10), the mold insert including a body having a surface that defines a portion of the cavity (see figures 1-4 and column 2, lines 14-24), the mold insert also includes a retention member (55) received interiorly in the mold half (10), a locking member (39) supported by the mold half (10), the locking member located so as to be engageable with the retention member (4) when the body is received within the mold half, and a release member (31) integral with the locking member (39), the release member supported by the mold half and being accessible from an exterior of the mold half (figures and column 1, lines 36-45) and adapted to disengage the locking member (39) from the retention member (55) whereby the mold insert is removable from the mold half. In regards to claim 2, figure 4

Art Unit: 1722

shows an embodiment wherein the rod (release member 31) is pulled to the left of the figure such that locking member (39) disengages from the retention member (55) and a linear cam (37) acts upon surface (53) to push the insert from the recess. In regards to claim 3, the specification (column 2, lines 66 to column 3, line 3) also teaches that the rod (31) could be arranged so that pushing instead of pulling causes linear cam to engage the plate. In regards to claim 10, the linear cam (37) acts as a biasing member to bias the body of the insert away from the mold half.

The preamble language "for blow molding a plastic article" is being treated as intended use. Yutronkie et al teach a mold that is capable of shaping a material molding by blow molding as the formation of a tire is technically specialized blow molding to form a rubber article. Yutronkie et al also teaches that the present invention is not limited to a particular mold type (column 3, lines 9-13).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yutronkie et al taken together with Wagner et al (4,684,101: figures 2-7).

Yutronkie et al disclose all claimed features except for the release member being threaded.

Wagner et al disclose a mold insert (78) having a retention member (82), a locking member (118) to be engageable with the retention member (82) and a release member, which is a bolt (124) threaded into member (106).

It would have been obvious at the time of the invention to one of ordinary skill in the art to modify the apparatus of Yutronkie et al by using a threaded release member to release an insert from a mold as disclosed by Wagner et al for the purpose that the threaded bolt allows simple manipulation of the release member with a tool.

***Allowable Subject Matter***

5. Claims 5, 7, 15 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter: None of the prior art of record teach or suggest the molding machine of claim 1 or 11 wherein the locking member includes a spring biasing the locking member toward engagement with the retention member. The closest prior art (Yutronkie et al) teach a mold having a removable insert, a locking member (39) and a release member (31), but the reference fails to disclose or suggest the locking member includes a spring biasing the locking member toward engagement with the retention member. The reference does disclose a spring to bias the rod to a neutral position, but there is nothing in the reference or the remaining prior art to suggest modification of Yutronkie et al to include a spring biasing the locking member toward engagement with the retention member.

Art Unit: 1722

In regards to claims 7 and 17, none of the prior art teaches or suggests a molding machine according to claims 6 or 16, respectively, wherein the retention member has a circumferential groove there around. The closest prior art (Yutronkie et al) fails to disclose a circumferential groove around a retention member that is engaged by the locking member.

### ***Conclusion***


7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The remaining references show the state of the art of removable mold inserts.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert B. Davis whose telephone number is 571-272-1129. The examiner can normally be reached on Monday-Friday 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on 571-272-1166. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 1722

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Robert B. Davis  
Primary Examiner  
Art Unit 1722

6/15/05